

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/377,286 08/18/99 RUMSEY

B MICT-0050-US *MAP*

EXAMINER

MM91/0706

TROP PRUNER HU & MILES PC
8554 KATY FREEWAY SUITE 100
HOUSTON TX 77024

CUNEO, K

ART UNIT

PAPER NUMBER

2841
DATE MAILED:

07/06/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)	
9/377286	Cuneo	
Examiner	Group Art Unit	

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

Responsive to communication(s) filed on 5/25/01

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

Claim(s) 1-30 is/are pending in the application.

Of the above claim(s) 7-8, 13, 15, 17-18, 20-30 is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-6, 9-12, 14, 16, 19 is/are rejected.

Claim(s) _____ is/are objected to.

Claim(s) _____ are subject to restriction or election requirement

Application Papers

The proposed drawing correction, filed on _____ is approved disapproved.

The drawing(s) filed on 8/18/99 is/are objected to by the Examiner

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

All Some* None of the:

Certified copies of the priority documents have been received.

Certified copies of the priority documents have been received in Application No. _____.

Copies of the certified copies of the priority documents have been received
in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____ Interview Summary, PTO-413

Notice of Reference(s) Cited, PTO-892 Notice of Informal Patent Application, PTO-152

Notice of Draftsperson's Patent Drawing Review, PTO-948 Other _____

Office Action Summary

DETAILED ACTION

Drawings

1. The drawings are approved by the draftsman but objected to by the examiner for the following reason.

Figures 2,4,6 and 8 are identified as cross sections, but are not hatched. All of the parts shown in section, and only those parts, must be cross hatched. The cross hatching patterns *should be selected from those shown on page 600-82* of the MPEP based on the material of the part. See also 37 CFR 1.84(h)(3) and MPEP 608.02.

Drawing corrections in compliance with MPEP 608.02(v) are required in response to this office action.

Treatment of Claims Based on Prior Art

2. 35 USC 102 includes the following sections which state:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 1-6, 9-12, 14, 16 and 19 are rejected under 35 USC 102(b) as being anticipated by Healy et al. (US 3537176, hereafter Healy).

Claims 1-4, 9-12 and 19 are clearly anticipated by figure 1 of Healy.

Claims 5-6 and 14 are clearly anticipated by figure 2 of Healy.

Claim 16: The forces applied to the ball and emulation of the trace all arise (as disclosed by the specification) from the structure of the stub in conjunction with the trace. As this structure is identically disclosed by Healy, the function of claim 16 must be inherent to the device of Healy.

Response to Arguments

4. Applicant's arguments with respect to the art rejections have been carefully reviewed, but are not persuasive. Namely, applicant has two arguments which are contradictory. Applicant argues that claim 16 recites a function which follows from the claim structure of "the trace being coupled to and extending away from the bond pad," page 4 last paragraph. Therefore, the trace and stub extending away from the pad create this functionality. Pursuant to applicant's arguments, the rejection under 112 of claim 16 has been withdrawn. Applicant then argues that the prior art does not teach claim 1 because it does not teach the functionality of counteracting the attractive force. According to applicant's arguments with respect to claim 16, this functionality arises from the structure of the trace and the stub extend away from the pad. In the prior art, the trace and the stub extend away from the pad, exactly as recited in claim 16 (and also as recited in claim 1). Therefore, the structure of the prior art must provide the claimed functionality, thus anticipating claim 1, according to the same arguments applicant sets forth for claim 16.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Closing

6. Any inquiries related to the examination of this application should be directed to Ex. K. Cuneo at (703) 308-1233 or her supervisor Ex. J Gaffin at (703) 308-3301. Inquiries of a general nature should be directed to the receptionist of Group 2800 at (703) 308-0956. The fax numbers for Group 2800 are (703) 305-7722 and 7724.



K. Cuneo
Patent Examiner Group 2841
July 4, 2001